

APPROVED: Meeting No. 21-94

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 14-94

April 25, 1994

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on April 25, 1994, at 7:30 p.m.

PRESENT

Mayor Pro Tem James T. Marrinan

Councilmember Robert E. Dorsey

Councilmember Rose G. Krasnow

Councilmember Nina A. Weisbroth

ABSENT

Mayor James F. Coyle (on travel)

In attendance: City Manager Bruce Romer, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Councilmember Marrinan was appointed to serve as Mayor Pro Tem.

Re: City Manager's Report

1. Mr. Romer reported on the City's Annual Fishing Derby held during the weekend. He noted that Councilmember Marrinan had presided over the event and had also given fishing

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lessons to the participants. Approximately 550 persons participated, and the event was another huge success. Mr. Romer noted that the largest fish was caught by 10-year old Roger Prago. Richard Wyler, a 74-year-old participant won the Senior Division, and the Junior Division was won by 15-year-old John Griffin.

2. Mr. Romer said that staff was recommending Consent Agenda Item 7G, regarding a contract award for the City's water plant, be pulled from the Consent Agenda so that discussion could take place.

3. Mayor Coyle, along with mayors around the country, recently conducted a visit to White House to discuss the difficulties local governments are having with unfunded mandates enacted by Congress. The visit was commemorated by a photo of Mayor Coyle with President Clinton and Vice President Gore and was shown on Rockville's Channel 53.

4. Advertisements will be going out this week regarding the Mayor and Council's consideration of a property disposition proposed for affordable housing on Lewis Avenue. Staff had spent considerable time searching for an appropriate vacant lot site and working with the neighbors and civic association, and they had generally received a very enthusiastic reaction to the idea. On May 23rd, the Mayor and Council will be presented with items for approval which include documents for making the land available for affordable housing, as well as items regarding the trade of a few thousand square feet of land to the adjoining property owner in order to make the boundary line palatable to all.

5. Mr. Romer mentioned that during the month of April, Cable TV Montgomery subscribers will receive with their bills, a survey asking them to describe their viewing habits.

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Residents are being reminded to indicate on the survey, how often they watch Rockville cable television.

6. Mr. Romer noted with sadness, the recent passing away of Leslie Kotzalas, the City's Personnel Benefits Administrator. Ms. Kotzalas, a City employee for four years, suffered a stroke at the age of 34 years old. Mr. Romer said that Ms. Kotzalas was very energetic, competent and well- liked by everyone she came in contact with, and he said that her loss will be felt by all.

Re: Presentation of Certificate of
Appreciation honoring Rockville
Arts League (RAL.)

The Mayor Pro Tem and Council presented a certificate of appreciation to Eileen Mader and Patria Baranski in honor of the Art League's receipt of the Dottie Mullen Award for Arts and Humanities from the National Recreation and Parks Association. Mayor Pro Tem Marrinan displayed the Dottie Mullen plaque that was presented to RAL, along with two publications put together by Eileen Mader, detailing the history of the RAL. He noted that the award honors those programs which expand interest in the arts and humanities, fulfill community needs by offering a variety of activities, and promote interagency cooperation. Councilmember Krasnow read the certificate. The RAL will be holding its annual spring show on May 1st at the Rockville Mansion Gallery.

Re: Proclamation declaring May 1,
1994 as **ROCKVILLE**
MUSICAL THEATRE DAY in
Rockville.

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Rockville Studio Theatre is recognizing its twentieth anniversary in 1994 and will be celebrating with a program. The Proclamation was introduced by Councilmember Weisbroth. The Proclamation will be presented at the RMT Gala on April 28th.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Mansfield Kaseman, 704 Carter Road said that tickets were available for a concert being sponsored by Community Ministries of Rockville, on April 29th, featuring 12 choirs and over 150 voices from around the City. Following the concert, there will be an ice cream social in the Theatre's Social Room.

Re: Adoption of Minutes

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the Minutes of Meeting No. 09-94 (March 14, 1994) were approved.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the Minutes of Meeting No. 10-94 (March 21, 1994) were approved.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, with Councilmember Krasnow abstaining, the Minutes of Meeting No. 11-94 (March 28, 1994) were approved.

Upon motion of Councilmember Krasnow, adoption of the Minutes from Meeting No. 10-94 was reconsidered in order to note a change requested by Councilmember Weisbroth. Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, the changes

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requested by Ms. Weisbroth were accepted and the Minutes of Meeting No. 10-94 were approved as amended.

Re: Consent Agenda

Councilmember Krasnow noted that Consent Item G was being pulled off at staff's recommendation. Councilmember Weisbroth requested the removal of Items H, I, and J. Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, the following Consent Agenda Items were adopted:

- (A) Proclamation declaring the month of May, 1994, as **OLDER AMERICANS MONTH** in the City of Rockville.

The Proclamation will be presented at the Senior May Gala on May 4, 1994.

- (B) Award of RFP #71-94, Hometown Holidays Laser Show, to Audio Visual Imagineering of Springfield, Virginia, in the amount of \$34,850. Award of option to renew this contract for two additional years, at the discretion of the City Manager, in the amount of \$35,150 for the 1995 event, and \$35,550 for 1996.

This project provides for a full-color, outdoor laser light show and laser screen rigging for the 1994 Hometown Holidays event. Sufficient funds have been budgeted in the Recreation and Parks Department, Special Events budget.

- (C) Award of Bid #73-94, Rental of Power Generators, Transformers, and Miscellaneous Equipment to low bidder, L & S Diesel Services, Inc. of Glen

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Burnie, Maryland in the low bid amount of \$52,400.11.

Bid #1321 provides for the rental of generators and electrical equipment for Hometown Holidays and the Independence Day events for FY94, FY95, and FY96. Sufficient funds have been budgeted in the Recreation and Parks Department budget.

- (D) Approval of agreements with Asplundh Tree Expert Company, Willow Grove, Pennsylvania for maintenance of City-owned street lights, and for installation of banners and holiday decorations.

The four year agreements would "piggyback" onto a Montgomery County contract for similar services that becomes effective May 1, 1994. A maximum of \$230,000 would be spent over the four year period, with expected departmental budgets sufficient to fund all required services.

- (E) Award mechanism of Autosystem Gas Chromatograph to Perkin-Elmer Corporation, Rockville, MD, for \$43,179.10.

This is a sole source bid as Perkin-Elmer is the only supplier of the Auto Sampler to fit our existing Gas Chromatograph. Because of the tests required by the State, we are now required to provide this equipment for Water Plant water testing.

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- (F) Award a requirements contract for Water Treatment Chemicals for \$87,257.38 through the Council of Governments lead jurisdiction, Fairfax County Water Authority. Award to North American Inc., Chloromone Company, Germany Valley, General Chemical, Technical Product, and L.C.I. Limited, the supply of Water Treatment Chemicals.

Re: (Item G) Award Bid #77-94 to low bidder Norair Engineering Corp., of Landover, MD, for improvements at the Water Treatment Plant and authorize the City Manager to execute the contract for the amount of Norair's proposal of \$2,400,500.

Regarding Item G, Mr. Romer said the item was to award a contract to Norair Engineering Corporation for improvements at the City's Water Treatment Plan. He said the contract represented three projects at the Water Plant that had been discussed and debated over by the Mayor and Council. He explained that three elements of the project were to (1) meet the State Mandate for diverting sediments from the water treatment process away from the Potomac River, (2) replace the 37-year-old water filter control system, and (3) rehabilitate the deteriorated walls of the water clarifier. Mr. Romer noted that the project was a classic example where the City had been negotiating for over 7 years with the Maryland Department of the Environment to conclude an agreement to satisfy requirements of what could and could not be returned to the Potomac River. Under a new mandate, the City would not be able to return the solids to the Potomac River, and will have to construct new systems and structures to segregate the materials and the resultant solids, which will have to be trucked away to a landfill. Mr. Romer said the process

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would require a substantial expenditure of funds. In addition, Mr. Romer said the general rehabing of certain mechanical systems of the City's 40-year old water plant were in need of repairs from old age and because of the inability to obtain spare parts. Mr. Romer then narrated a video showing the plant and the portions of the project where systems will be rebuilt.

Mr. Romer said that the City had previously appropriated money for the project and had received four competitive bids. The low bid was 6% over the engineer's estimate, and he said that the reason for this was that it had been some time since the original bid was put together and in the bidding environment, prices were escalating. Staff was recommending the bid of Norair Corporation.

Councilmember Dorsey questioned whether staff anticipated any interruptions to the citizens. Mr. Romer responded that no service interruptions were anticipated. Councilmember Krasnow said that the issue of increasing the capacity of the water plant had been discussed, and she asked if the project would be able to deal with any increased load. Mr. Romer said that the project elements alone would not produce any new capacity at the plant; however, they were designed to be consistent with any future expansion of the plant. Ms. Krasnow asked about the clarifying structural rehabilitation, noting that there were two alternatives and she asked if either one of the projects were acceptable. Mr. Romer said the alternative was between rebuilding what was there and building a new structure right next to the old structure, and he said there was a small difference between the two; staff did not have a preference going into the project because both alternatives were equally good.

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Councilmember Marrinan commented on the ongoing operating costs being borne by the users, and he noted that the issue of a rate increase was discussed in budget discussions. The water rate would have to be raised in order to meet the costs for the improvements, and he said, while it was troubling to have to raise the rate, it was necessary in order to meet a federal and state mandate.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, Bid #77 was awarded to Norair Engineering Corporation for \$2,400,500.

Re: Items H, I, J.

- (H) Introduction of Ordinance to appropriate funds and levy taxes for fiscal year 1995. The Ordinance sets the operating and capital budget for the coming year. It is proposed that the property tax rate be increased from \$.8066 on each \$100 of assessed valuation to \$.82.

This Ordinance reflects the recommended FY 1995 budget. Adoption of the Ordinance, which is subject to modification by the Mayor and Council, is anticipated in June following completion of public hearings and work sessions on the budget.

- (I) Introduction of Ordinance to amend Section 24-46 of the Rockville City Code, entitled "Water Consumption Charge." The amendment to the Ordinance increases the rate from \$1.35 to \$1.42 per 1,000 gallons, effective July 1, 1994. This rate has been assumed in the preparation of the budget for Water Fund operations.

This Ordinance reflects the recommended FY 1995 budget. Adoption of the Ordinance, which is subject to modification by the Mayor and Council, is anticipated in June following completion of public hearings and worksessions on the budget.

- (J) Introduction of Ordinance to amend Section 24-47 of the Rockville City Code, entitled "Sewer Usage Charge." The amendment to the Ordinance increases the rate from \$2.40 to \$2.56 per 1,000 gallons, effective July 1, 1994.

This Ordinance reflects the recommended FY 1995 budget. Adoption of the Ordinance, which is subject to modification by the Mayor and Council, is anticipated in June following completion of public hearings and worksessions on the budget.

Councilmember Weisbroth requested the removal of these items in order to have Mr. Romer explain the budget process--she said while the budget had not yet been approved, the three ordinances were regarding rates which were related to the budget. Mr. Romer said that the FY95 budget was based on three rates: water, sewer and tax which were set by ordinances that needed two readings. He explained that ordinances had to be introduced in advance of adoption and as long as the recommended budget was known, it was appropriate to introduce such ordinances to notify everyone that the Mayor and Council were contemplating the action covered by the three ordinances. He said that each ordinance was subject to the scrutiny of the Mayor and Council with the upcoming public hearings and the worksessions, and that the Mayor and Council

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were free to change any of the ordinances prior to adoption. Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, Items H, I, and J were introduced.

Re: FYI/Correspondence

1. Councilmember Weisbroth noted her concern with the large number of Minutes submitted by staff this week for the City's boards and commissions. She also noted concern that some of the Minutes dated back to the summer of 1993. She asked that staff find a way to promulgate the board and commission Minutes so that the Mayor and Council received them in a more timely fashion. Councilmember Krasnow echoed Ms. Weisbroth's concern.

2. Councilmember Krasnow noted Item #8, regarding the possibility of putting in adult soccer fields in Rockville. She asked if staff was looking at more sites, and what the process would be for determining where they would be placed and how they'd be used. Recreation and Parks Director, Burt Hall, said that his department was looking at the issue and had identified a couple of sites--one site under serious consideration is Rock Terrace, with a proposal that would eliminate the softball field and convert it into two soccer fields. Mr. Hall also said that staff was looking at the Broome athletic field. Councilmember Krasnow asked that the Mayor and Council be kept informed about these ongoing efforts.

3. Councilmember Krasnow noted that the deadline for receiving comments on the Cabin John Watershed study was extended to May 24th. Ms. Krasnow also noted that a walk-through of the Cabin John stream valley would take place on June 11th, from 9 a.m. to noon. Anyone interested was invited to attend the walk which will start at Elwood Smith Park and end at the former Hungerford- Stoneridge swim club.

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4. Mayor Pro Tem Marrinan noted that the recently concluded legislative session resulted in the approval of the City's bond bill for the downtown redevelopment project. Bond funding in the amount of \$880,000, coupled with 1.2 million of state highway funds was approved. The signing ceremony will be held either May 2nd or May 20th, 1994, in the Governor's Office. Mr. Marrinan congratulated Assistant City Manager Rick Kuckkahn for his efforts and he thanked the citizens who traveled to Annapolis for "Rockville Day" in support of the funding.

Re: New Business

1. Councilmember Krasnow said she had the pleasure of making the opening remarks for the 5th annual Rockville Science Day; she said the Rockville Community Center for Science had done a superb job in organizing the event, and she heard many comments that the event was a worthwhile event for the City to be involved in.

Re: Next Meeting

The Mayor and Council will hold a Public Hearing on Tuesday, May 3, 1994 on the proposed FY95 Budget.

Re: Next Saturday Drop-In

Councilmember Weisbroth will be available for Drop-In on Saturday, May 7, 1994 from 10:00 a.m. to 12 noon.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 8:13 p.m., to convene again in at 7:30 p.m. on May 3, 1994, or at the call of the Mayor.